

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

Case No. 1:18-cv-00950-LO-JFA

**[PROPOSED] STIPULATED ORDER
TO PRODUCE IDENTIFYING INFORMATION
CONCERNING CERTAIN COX BUSINESS SUBSCRIBERS**

WHEREAS Plaintiffs have requested in discovery for this litigation that Defendants (“Cox”) produce identifying information for Cox Business Subscribers that were the subject of Plaintiffs’ notices of alleged copyright infringement sent to Cox between February 1, 2013 and November 26, 2014 (“Business Subscribers”);

WHEREAS Cox has produced certain billing and payment reports from its ICOMS system at COX_SONY_00973760 through COX_SONY_00973767, which identifies customers by categories without revealing specific identifies of customers, and which shows that 2,793 Business Subscribers (in addition to certain residential subscribers) were the subject of copyright infringement notices from Plaintiffs;

WHEREAS Cox has represented that, pursuant to its business privacy policy, Cox provides information about Cox Business Subscribers to third parties only as required to comply with the law; and

WHEREAS Cox contends that its disclosure of personally identifiable information about subscribers to Cox’s cable service or other service is governed by the Cable Communications Privacy Act, 47 U.S.C. § 551;

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs and Cox that Cox shall make reasonable efforts to notify the Business Subscribers, within five days of entry of this Stipulated Order, of Cox's intent to disclose their name and contact information to Plaintiffs pursuant to this Order. Such notice shall give the notified Business Subscribers an opportunity to seek relief from the Court within ten days. If a notified Business Subscriber fails to object and seek such relief within fifteen days of this Stipulated Order, Cox shall promptly disclose such Business Subscriber's name, address and associated ICOMS ID to Plaintiffs, subject to the Stipulated Protective Order in this case (ECF No. 58).

Dated: May 6, 2019

Respectfully submitted,

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**ORDER GRANTING STIPULATION TO PRODUCE IDENTIFYING INFORMATION
CONCERNING CERTAIN COX BUSINESS SUBSCRIBERS**

IT IS HEREBY ORDERED that within five days, Cox shall provide notice to the certain Cox Business Subscribers described above, of Cox's intent to produce their name and address to Plaintiffs in connection with this litigation. Such notice shall give the Business Subscribers ten days to object or seek relief from the Court. If a notified Business Subscriber fails to object within fifteen days of this Stipulated Order, Cox shall promptly disclose such Business Subscriber's name and address to Plaintiffs, subject to the Stipulated Protective Order in this case (ECF No. 58).

ENTERED this _____ day of _____, 2019

Alexandria, Virginia

The Honorable Liam O'Grady
United States District Judge
Eastern District of Virginia

CERTIFICATE OF SERVICE

I certify that on May 6, 2019, a copy of the foregoing STIPULATED ORDER TO PRODUCE IDENTIFYING INFORMATION CONCERNING CERTAIN COX BUSINESS SUBSCRIBERS was filed electronically with the Clerk of Court using the ECF system, which will send notifications to ECF participants.

/s/ /Thomas M. Buchanan/

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